

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JESSE L. MANER, # 113975,)
Petitioner,)
v.) Case No. 2:07-cv-00004-WKW
ARNOLD HOLT, *et al.*,) [wo]
Defendants.)

ORDER

On January 12, 2007, the Magistrate Judge filed a Recommendation (Doc. # 4) that this case be dismissed for lack of jurisdiction. The petitioner filed a timely objection (Doc. # 5). Upon an independent and *de novo* review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED that:

1. The Objection (Doc. # 5) is OVERRULED;
2. The Recommendation (Doc. # 4) is ADOPTED;
3. The petition for habeas corpus relief (Doc. # 1) is DENIED; and
4. This case is DISMISSED without prejudice in accordance with the provisions of 28 U.S.C. § 2244(b)(3)(A) as the petitioner has failed to obtain the requisite order from the Eleventh Circuit Court of appeals authorizing this court to consider a successive habeas application.

An appropriate judgment will be entered.

DONE this 8th day of March, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE